

AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT

I, Derek Dunn, a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), being duly sworn, depose and state as follows:

INTRODUCTION

1. I submit this affidavit in support of a criminal complaint charging David Mendum with attempted production of child pornography in violation of 18, United States Code, Section 2251(a), (c), and (e) and attempted coercion and enticement of a minor in violation of 18, United States Code, Section 2422(b). I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations, and have been so employed since April 2003. I am currently assigned to the Manchester, New Hampshire field office. As part of my regular duties as an agent, I investigate criminal violations relating to a broad range of immigration and customs related statutes, including those relating to child exploitation and child pornography. I have received training in the area of child pornography and child exploitation, and as part of my duties have observed and reviewed numerous examples of child pornography (as defined in 18 U.S.C. §2256) in various forms of media, including digital/computer media. I have conducted investigations and executed search warrants involving child exploitation and child pornography offenses.

2. The facts set forth herein are based upon my own work on this investigation and discussion about the investigation with other law enforcement officers. In submitting this affidavit, I have not included every fact known to me about the investigation but only the facts that I believe are sufficient to establish probable cause for the crime set forth in the accompanying criminal complaint.

STATUTORY AUTHORITY

3. This application is part of an investigation into David Mendum for the alleged production and attempted production of child pornography and attempted coercion and enticement of a minor. 18 U.S.C. § 2251(a) and (e) prohibit any person from employing, using, persuading, inducing, enticing, or coercing any minor to engage in, or having a minor assist any other person to engage in, or transporting any minor in or affecting interstate or foreign commerce with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed; or if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer; or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed; or attempting or conspiring to do so.

4. 18 U.S.C. § 2251(c) and (e) prohibit any person from employing, using, persuading, inducing, enticing, or coercing any minor to engage in, or having a minor assist any other person to engage in, any sexually explicit conduct outside of the United States, its territories or possessions, for the purpose of producing any visual depiction of such conduct, if the person intends such visual depiction to be transported to the United States, its territories or possession, by any means, including by using any means or facility of interstate or foreign commerce or mail; or if the person transports such visual depiction to the United States, its

territories or possessions, by any means, including by using any means or facility of interstate or foreign commerce or mail; or attempting or conspiring to do so.

5. 18 U.S.C. § 2422(b) prohibits any person from using the mail or any facility or means of interstate or foreign commerce to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempting to do so.

DEFINITIONS

6. The following definitions apply to this Affidavit:

a) “Chat,” as used herein, refers to any kind of text communication over the Internet that is transmitted in real-time from sender to receiver. Chat messages are generally short, enabling other participants to respond quickly and in a format that resembles an oral conversation. This feature distinguishes chatting from other text-based online communications such as Internet forums and email.

b) “Child pornography,” as defined in 18 U.S.C. § 2256(8), is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct, (b) the visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct, or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct.

c) “Minor,” as defined in 18 U.S.C. § 2256(1), refers to any person under the age of eighteen years.

d) “Sexually explicit conduct,” as defined in 18 U.S.C. § 2256(2), means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the anus, genitals, or pubic area of any person.

e) “Visual depiction,” as defined in 18 U.S.C. § 2256(5), includes undeveloped film and videotape, data stored on computer disc or other electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.

OVERVIEW OF INVESTIGATION

7. The investigation, described more fully below, involves individuals who have engaged in the sexual exploitation of children through an internet-based, videoconferencing and chat application (“Application A”).¹ Based on the investigation, there is probable cause to believe that MENDUM has, among other things, used an account on Application A to engage or attempt to engage in the sexual exploitation of minors in violation of the above federal criminal statutes.

¹ The name of Application A and the alias used by the SUBJECT ACCOUNT on Application A are known to law enforcement but anonymized in this affidavit to protect operational security. HSI’s investigation of others who engage in the sexual exploitation of children remains ongoing and the disclosure of the SUBJECT ACCOUNT’s alias may alert other users who have communicated with or about the SUBJECT ACCOUNT, potentially provoking these users to notify others of law enforcement action, flee, and/or destroy evidence.

Background on Application A

8. Based on my training, experience, and review of publicly available information, I know that Application A is a software product that allows users to conduct live video chats and voice calls with other users over the internet. Application A users can also send instant messages, exchange files and images, send video messages, and conduct multi-person conference calls. Application A is available for use on personal computers as well as smartphones, tablets, and other electronic devices. Users can sign up for an account and access Application A directly through Application A's website; alternatively, users can download the application, which allows them to access Application A from computers, tablets, cellular phones, certain televisions, and other electronic devices.

9. To access Application A, subscribers must create an account. Application A assigns a subscriber a unique name or ID, and a subscriber can then add a display name to their account. The user can change the display name at any time. The unique name or ID, by contrast, cannot be changed by the user.

10. Application A records some IP addresses associated with user activity, including the original IP address used for the creation of the account and the IP addresses captured at the time the user logs in to Application A. Application A may preserve chat communications and media content, including videos and images exchanged in chat conversations. Whether content is stored and retained, however, is a user-driven setting—that is, the user can determine whether the content will be retained. Application A does not store or retain the content of live video transmissions.

**Background on Online Child Sex Trafficking and Exploitation via
Webcam and the Internet**

11. HSI is investigating individuals who provide access to pre-produced child sexual abuse material and live-streaming online webcam shows involving the sexual abuse of children to paying customers worldwide. This growing transnational child-sexual-abuse industry includes child sex traffickers in, among other places, the Philippines, who collect viewership fees from vetted customers scattered throughout the world. Paying customers often request that these child sex traffickers provide pre-recorded depictions of minors engaging in sexually explicit conduct or sexually abuse minors in real time during private webcam interactions on a variety of streaming video services and applications, including Application A.

12. Based on my training, experience, and information conveyed to me by other law enforcement agents involved in the investigation of live-streaming depictions of child sexual abuse, I know that it is common for such traffickers in the Philippines and elsewhere to be communicating with a large number of individuals who are paying for access to such material. I also know that it is common for the paying customers to be communicating with other traffickers, and sometimes many other traffickers, who are selling access to similar material over the internet. These individuals often use a variety of money services businesses (MSBs) to pay the traffickers or associates of the traffickers for access to this material, including Western Union, WorldRemit, MoneyGram, PayPal, Xoom, and Remitly.

13. HSI has identified individuals operating child-sex-trafficking networks from the Philippines. Based on undercover activity and other investigation, HSI is aware that these traffickers did, in fact, have access to minors to sexually abuse on camera and have offered to

provide access through Application A to visual depictions of one or more minors engaging in sexually explicit conduct in exchange for money.

PROBABLE CAUSE

14. Pursuant to a federal search warrant, authorities received information associated with an account on Application A (SUBJECT ACCOUNT) that had been identified as an account believed to be used by MENDUM to communicate with individuals located in the Philippines who were livestreaming the sexual abuse of children in exchange for payment. A review of the information within the SUBJECT ACCOUNT identified more than 170,000 messages exchanged between the SUBJECT ACCOUNT and other user accounts from January 2017 through June 2022. In addition to the messages, the information indicated that there were more than 900 video calls, several videos, and approximately 250 pictures exchanged between the SUBJECT ACCOUNT and other users during this time frame.

15. A review of the pictures sent by the SUBJECT ACCOUNT revealed numerous pictures of the same adult male who I have identified as MENDUM. There were also pictures and videos of naked children sent to the SUBJECT ACCOUNT, including some sexually explicit pictures of a female minor. Based on my review of the SUBJECT ACCOUNT, and in conjunction with my training, experience, and information conveyed to me by other law enforcement officers involved with the investigation of online child sex trafficking, I believe that the information set forth below establishes probable cause that MENDUM has used the SUBJECT ACCOUNT to communicate with individuals in the Philippines and that MENDUM has provided payment to these individuals in exchange for receiving live-streaming depictions of child sexual abuse.

Communications between SUBJECT ACCOUNT and TRAFFICKER ACCOUNT 1

16. As part of a related investigation, HSI searched pursuant to a federal search warrant an account on Application A suspected of being used to facilitate the online sexual abuse of children (“TRAFFICKER ACCOUNT 1”). A review of records provided in response to that search warrant revealed that the user of TRAFFICKER ACCOUNT 1 was located in the Philippines and was communicating with other users of Application A, including the SUBJECT ACCOUNT, and providing livestream sex shows involving minors in exchange for payment.

17. The SUBJECT ACCOUNT began corresponding with TRAFFICKER ACCOUNT 1 on April 11, 2020. According to records obtained from the Service Provider for Application A, between April 11, 2020 and November 18, 2020, the SUBJECT ACCOUNT and TRAFFICKER ACCOUNT 1 exchanged 5,022 messages, 1 media file, and 18 connected calls. The following is an excerpt of messages exchanged between the SUBJECT ACCOUNT and TRAFFICKER ACCOUNT 1 between April 11, 2020 and April 23, 2020:

SUBJECT ACCOUNT	hey there
SUBJECT ACCOUNT	hru
TRAFFICKER ACCOUNT 1	horny
TRAFFICKER ACCOUNT 1	wana play?
TRAFFICKER ACCOUNT 1	show u good
TRAFFICKER ACCOUNT 1	i hve 3 kids
TRAFFICKER ACCOUNT 1	2 son and 1 daugh
SUBJECT ACCOUNT	how old r they
TRAFFICKER ACCOUNT 1	daugh is 10yo
SUBJECT ACCOUNT	and would u have them join u in the show here
SUBJECT ACCOUNT	and ur sons
TRAFFICKER ACCOUNT 1	yes
TRAFFICKER ACCOUNT 1	but how u pay me hun?
SUBJECT ACCOUNT	wu ²
TRAFFICKER ACCOUNT 1	u sent 1st for show u my daugh and son?
TRAFFICKER ACCOUNT 1	how much hun for show?

² In this context, “wu” stands for “Western Union.”

TRAFFICKER ACCOUNT 1	u gona help me hun?
SUBJECT ACCOUNT	yes
TRAFFICKER ACCOUNT 1	wat ur show u like?
SUBJECT ACCOUNT	but i need ur info so i can send
TRAFFICKER ACCOUNT 1	ok hun
TRAFFICKER ACCOUNT 1	wer u sent?
SUBJECT ACCOUNT	wu
TRAFFICKER ACCOUNT 1	my name is
TRAFFICKER ACCOUNT 1	gilbert a. bordado
TRAFFICKER ACCOUNT 1	dasmarias cavite city
TRAFFICKER ACCOUNT 1	[REDACTED]

18. The following are 3 excerpts of messages sent between the SUBJECT ACCOUNT and TRAFFICKER ACCOUNT 1 during an hour and fifteen-minute continuous live video call from April 24, 2020 at 23:49 hours (UTC) to April 25, 2020 at 1:04 hours (UTC):

TRAFFICKER ACCOUNT 1	Call started.
TRAFFICKER ACCOUNT 1	see her love?
SUBJECT ACCOUNT	pleasenow cam up so i can see her face love
TRAFFICKER ACCOUNT 1	yes love
TRAFFICKER ACCOUNT 1	heheh she is good grl
TRAFFICKER ACCOUNT 1	she said ntm u
SUBJECT ACCOUNT	she very pitty love
TRAFFICKER ACCOUNT 1	yess
SUBJECT ACCOUNT	like her mom
TRAFFICKER ACCOUNT 1	heheh ty
TRAFFICKER ACCOUNT 1	she cant wait to hve toys hehe
SUBJECT ACCOUNT	love u ok with them in both her pussy and ass love
TRAFFICKER ACCOUNT 1	yesss
TRAFFICKER ACCOUNT 1	ofc i will do wat u like
TRAFFICKER ACCOUNT 1	cuz ur very kind to me
TRAFFICKER ACCOUNT 1	and she happy u help again tomorrow she like to buy nre panties
SUBJECT ACCOUNT	ok
TRAFFICKER ACCOUNT 1	she pee love
TRAFFICKER ACCOUNT 1	she said to me she like to know all about play
TRAFFICKER ACCOUNT 1	hehehehe
TRAFFICKER ACCOUNT 1	she want to learn good
SUBJECT ACCOUNT	so with the 35 i send to love u think u start teaching her love and start with sucking love
TRAFFICKER ACCOUNT 1	yes love
TRAFFICKER ACCOUNT 1	so she can learn good and well
SUBJECT ACCOUNT	yes bb
TRAFFICKER ACCOUNT 1	cuz she really want to learn fast for u
SUBJECT ACCOUNT	so bb what r there names love
TRAFFICKER ACCOUNT 1	jane
SUBJECT ACCOUNT	and ur son love
TRAFFICKER ACCOUNT 1	gab

SUBJECT ACCOUNT	tell u what love u and ur kids keep me happy and cumming love and the money will not stop ok
TRAFFICKER ACCOUNT 1	yes love... i will do my best to make u happy and stay with me
TRAFFICKER ACCOUNT 1	me and my kids fo wat u want... to be sure ur happy
SUBJECT ACCOUNT	where we left off yesterday is good love if ok with u and gab love
TRAFFICKER ACCOUNT 1	bck love
TRAFFICKER ACCOUNT 1	i pee
TRAFFICKER ACCOUNT 1	yes
SUBJECT ACCOUNT	<ss type='kiss'>(kiss)</ss>
TRAFFICKER ACCOUNT 1	i suck again?
SUBJECT ACCOUNT	or u have jane try it
TRAFFICKER ACCOUNT 1	is ok jane do tom.. cuz she know jane start tom.
TRAFFICKER ACCOUNT 1	like u said hehe
SUBJECT ACCOUNT	yes
SUBJECT ACCOUNT	so gab like when u suck him love
TRAFFICKER ACCOUNT 1	jane want to learn how to suck and play
TRAFFICKER ACCOUNT 1	yess
SUBJECT ACCOUNT	bb u know u r a naughty slut love
TRAFFICKER ACCOUNT 1	yes
TRAFFICKER ACCOUNT 1	son get hard
TRAFFICKER ACCOUNT 1	lol
SUBJECT ACCOUNT	yes i see
TRAFFICKER ACCOUNT 1	hehehehe
TRAFFICKER ACCOUNT 1	he is asking
SUBJECT ACCOUNT	asking what bb
TRAFFICKER ACCOUNT 1	if i buy him toy now lol
TRAFFICKER ACCOUNT 1	i said yes
SUBJECT ACCOUNT	tom love well a cheap one
SUBJECT ACCOUNT	after u get the 35 love that i send love
TRAFFICKER ACCOUNT 1	yes heheh he is happy to say yes i buy

19. The following are excerpts of messages sent between the SUBJECT ACCOUNT and TRAFFICKER ACCOUNT 1 during a live video call on April 28, 2020:

TRAFFICKER ACCOUNT 1	hi love
SUBJECT ACCOUNT	ok
TRAFFICKER ACCOUNT 1	she play now
TRAFFICKER ACCOUNT 1	1st
TRAFFICKER ACCOUNT 1	nkaed [sic]
SUBJECT ACCOUNT	i turned my microphone off so not to let my parents here [sic]
SUBJECT ACCOUNT	ok
TRAFFICKER ACCOUNT 1	ok
TRAFFICKER ACCOUNT 1	off mic
TRAFFICKER ACCOUNT 1	see her
SUBJECT ACCOUNT	yes
TRAFFICKER ACCOUNT 1	she trying to finger
SUBJECT ACCOUNT	but plea lower with no hand so I can see her sweet little pussy
TRAFFICKER ACCOUNT 1	she shy to me lol
TRAFFICKER ACCOUNT 1	see?
SUBJECT ACCOUNT	nice

SUBJECT ACCOUNT	yes
TRAFFICKER ACCOUNT 1	yes she is good grl
TRAFFICKER ACCOUNT 1	I ask her wat she do
SUBJECT ACCOUNT	and
TRAFFICKER ACCOUNT 1	she follow me
TRAFFICKER ACCOUNT 1	just she need more learn
TRAFFICKER ACCOUNT 1	i need to teach her well
SUBJECT ACCOUNT	yes
TRAFFICKER ACCOUNT 1	hehe
SUBJECT ACCOUNT	very nice
TRAFFICKER ACCOUNT 1	yesssss
TRAFFICKER ACCOUNT 1	she said to me
TRAFFICKER ACCOUNT 1	she said she tired lol
TRAFFICKER ACCOUNT 1	hehe
TRAFFICKER ACCOUNT 1	she sit
SUBJECT ACCOUNT	ok
SUBJECT ACCOUNT	she like that u play with her like this love
TRAFFICKER ACCOUNT 1	yessss
TRAFFICKER ACCOUNT 1	she is ok
TRAFFICKER ACCOUNT 1	just I need her to teach well
TRAFFICKER ACCOUNT 1	maybe its 1st time now to show she shy to me hehe
SUBJECT ACCOUNT	finger her love please love
TRAFFICKER ACCOUNT 1	but maybe nextime she is good

20. During a chat between the SUBJECT ACCOUNT and TRAFFICKER ACCOUNT 1 on April 25, 2020, the user of the SUBJECT ACCOUNT sent a selfie-style picture depicting an adult male wearing glasses to TRAFFICKER ACCOUNT 1. Based on my review of MENDUM'S driver's license photo and a booking photo of MENDUM provided by Epping Police Department, I recognize the person depicted in the picture sent from the SUBJECT ACCOUNT to TRAFFICKER ACCOUNT 1 as David Mendum.

Subscriber information for the SUBJECT ACCOUNT

21. In response to an Administrative Summons served to the Electronic Service Provider for information associated with the SUBJECT ACCOUNT, the following information was provided:

Service Provider	Sign in name: [REDACTED]
	First Name: david
	Last Name: mendum
	Create Date and Time: 01/11/2018 @ 11:32:30 PM (UTC)

Application A	Alias Name(s): 16033122107; [REDACTED] Name: david mendum Country: US Province: new hampshire City: epping Emails: [REDACTED] Username: live: [REDACTED] Account Create Date and Time: 2018/01/11 @ 23:32:38 (UTC) Account Creation IP: 76.118.157.205 Current Email Address: [REDACTED]
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22. In addition to the SUBJECT ACCOUNT, information provided by the Electronic Service Provider in response to an Administrative Summons identified three additional accounts on Application A that are associated with MENDUM that were created on June 13, 2015, April 15, 2016, and September 25, 2024.

Money Services Business Subpoena Information

23. As previously stated in this affidavit, individuals who engage in the sexual exploitation of children through internet-based videoconferencing and chat applications often use a variety of MSBs to pay the traffickers or associates of the traffickers for access to this material. In an attempt to identify payments made by MENDUM as the suspected user of the SUBJECT ACCOUNT, Administrative Summonses were served to multiple MSBs including Western Union, PayPal, WorldRemit, MoneyGram, Xoom, and Remitly. In response to those Summonses, more than 500 money transfers sent by MENDUM from January 8, 2018 to September 25, 2024 to recipients in the Philippines totaling more than \$39,000 were identified and are summarized as follows:

MSB	# of transfers	Total Sent
Moneygram	1	\$65
PayPal	313	\$18,258
Remitly	51	\$6,901
Western Union	168	\$13,077
XOOM	7	\$780

24. A review of the MENDUM payments revealed 4 Western Union money transfers made in April and May 2020 totaling \$215 to a recipient name of “Gilbert Bordado” which is the name that the user of TRAFFICKER ACCOUNT 1 provided the user of the SUBECT ACCOUNT.

25. Based on information provided by PayPal, MENDUM has opened 7 different PayPal accounts which were opened on May 29, 2019, December 06, 2020, June 16, 2023, July 3, 2023, March 2, 2024, June 10, 2024, and September 1, 2024 and has used six of these accounts to send money transfers to individuals in the Philippines. PayPal also provided activity logs for each account which included IP addresses used to access the accounts. A review of this information revealed IP addresses owned by Consolidated Communications and Verizon Wireless were frequently used to access all of the accounts. An Administrative Summons was served to Consolidated Communications requesting the subscriber for a selected IP address used to access each of the 7 PayPal accounts. In response to the Summons, Consolidated Communications advised that the subscriber for one of the IP addresses was not available and that that subscriber for all 6 of the other IP addresses was Sharon Mendum with a service address of [REDACTED] Calef Highway, Epping, NH. Agents have determined that Sharon Mendum is MENDUM’S mother and that she and MENDUM both reside at [REDACTED] Calef Highway in Epping.

Execution of Search Warrant at Mendum's Residence

26. On November 7, 2024, a federal search warrant was executed on MENDUM'S residence, vehicle, and person. Several electronic devices were seized, including three laptop computers from inside MENDUM'S residence and a cell phone seized from MENDUM'S person. Review of these devices is in progress.

27. During execution of the search warrant, federal agents conducted a recorded interview of MENDUM. Initially, MENDUM denied any recent use of Application A and made statements suggesting that he uses other online platforms to engage in communications with women overseas. However, when confronted with specific chats obtained through legal process on the SUBJECT ACCOUNT of Application A, MENDUM recalled the chats and acknowledged that he was the individual who had participated in the chats.

28. MENDUM acknowledged a sexual interest in children and admitted that he had engaged in the above communication and other similar communications for the purpose of obtaining sexually explicit content depicting minors.

CONCLUSION

29. Based on the foregoing, there is probable cause to believe that Mendum has committed the offenses of production and attempted production of child pornography in violation of 18 U.S.C. § 2251(a), (c), and (e), and coercion and enticement and attempted coercion and enticement of a minor in violation of 18 U.S.C. § 2422(b).

/s/ Derek Dunn

Derek Dunn
Special Agent
Homeland Security Investigations

The affiant appeared before me by telephonic conference on this date pursuant to Fed. R. P. 41 and affirmed under oath the contents of this affidavit and application.

/s/ Talesha L. Saint-Marc

Hon. Talesha L. Saint-Marc
United States Magistrate Judge
Date: November 7, 2024